

NO. 88.

AN ACT RELATING TO RESIDENTIAL HOUSING STANDARDS.

(H.612)

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. LEGISLATIVE FINDINGS

The general assembly finds that:

(1) People over 65 are the fastest growing sector of the American population and life expectancies continue to increase. Whether due to injury or age, there is a great likelihood for each of us, at some time in our life, to suffer a temporary or permanent condition that limits mobility or the ability to perform daily tasks of living.

(2) The increased cost of constructing a residence with doorways wide enough to permit wheelchair access, electrical outlets reachable by a wheelchair-bound person, and bathroom walls reinforced to permit installation of grab bars is minimal, while the costs and disruption associated with retrofitting an existing home to be minimally accessible are substantial.

(3) A residence that provides minimal accessibility offers the possibility of occupancy or visitation by a disabled person. An occupant of a home that has wide doorways and reachable outlets who becomes disabled, whether temporarily or permanently, may be able to remain at home and avoid or delay the great expense and emotional trauma of institutionalization.

Sec. 2. 21 V.S.A. § 274(c) is added to read:

(c) Unless required by federal law, any single dwelling unit of two or more stories within a building consisting of four or more dwelling units is not required to have a vertical access within the dwelling unit, provided that five percent of the dwelling units, or one unit, whichever is greater, has an accessible entrance, and all the dwelling units meet or exceed the minimum standards required in section 286 of this title.

Sec. 3. 21 V.S.A. chapter 4 is redesignated as follows:

CHAPTER 4. ACCESSIBILITY STANDARDS FOR PUBLIC BUILDINGS
AND PARKING

Subchapter 1. Public Buildings and Parking

Sec. 4. 21 V.S.A. chapter 4, subchapter 2 is added to read:

Subchapter 2. Residential Building Standards

§ 286. ACCESSIBILITY STANDARDS; RESIDENTIAL CONSTRUCTION

(a) For the purposes of this subchapter, “residential construction” means new construction of one family or multifamily dwellings. “Residential construction” shall not include a single family dwelling built by the owner for the personal occupancy of the owner and the owner’s family, or the assembly or placement of residential construction that is prefabricated or manufactured out of state.

(b) Any residential construction shall be built to comply with all the following standards:

(1) At least one first floor exterior door that is at least 36 inches wide.

(2) First floor interior doors between rooms that are at least 34 inches wide or open doorways that are at least 32 inches wide with thresholds that are level, ramped or beveled.

(3) Interior hallways that are level and at least 36 inches wide.

(4) Environmental and utility controls and outlets that are located at heights that are in compliance with standards adopted by the Vermont access board.

(5) Bathroom walls that are reinforced to permit attachment of grab bars.

(c) A violation of this section shall neither affect marketability nor create a defect in title of the residential construction.

**Sec. 5. DEPARTMENT OF AGING AND DISABILITIES; VISITABLE
HOUSING INFORMATION**

(a) The commissioner of aging and disabilities, in consultation with the commissioners of labor and industry and housing and community affairs and representatives from the homebuilding industry, shall prepare a pamphlet that explains the construction standards and advantages of “visitable” housing, including zero-step entries and other accessibility features, to assist potential new home buyers make informed decisions. The pamphlets shall be completed no later than December 1, 2001. For the purposes of this section, “a visitable home” is a dwelling unit that is built, at a minimum, in accordance with the provisions in 21 V.S.A. § 286(b).

(b) The department shall work with interested parties, including home builders, lending institutions, real estate brokers and consumer groups to promote and facilitate timely distribution of the pamphlets to persons purchasing or contracting for residential construction. On or before March 15, 2002, the commissioner of aging and disabilities shall report to the general assembly on the success of the efforts to distribute the pamphlets to home buyers prior to construction.

(c) The department of aging and disabilities may award incentive funds, through a competitive process, to build a model home to demonstrate the feasibility of constructing a "visitable" home.

Sec. 6. EFFECTIVE DATE

This act shall take effect on passage, except that Sec. 4 shall apply to residential construction begun after July 1, 2001.

Approved: April 27, 2000